

DATE	PROCEEDINGS
4-25-67	Indictment, filed in open Court. b
4-25-67	Record vote of the Grand Jury, filed in open Court. b
4-25-67	Ordered by the Court that the bond of the defendant is fixed in the sum of \$1,500.00. (Allen E. Barrow - Judge)
4-25-67	Warrant for the arrest of the defendant, issued. b
6-26-67	Bond in the sum of \$1000.00, filed. (personal bond)
6-26-67,	Order appointing G. Raymond Bassman, as attorney for defendant, filed.
6-26-67	Order specifying methods and conditions of release, filed. e
6-29-67	Warrant for arrest of defendant returned, filed - defendant arrested at Oklahoma City on June 26, 1967 and transporting him to U. S. Marshal at Tulsa, Okla. b
7-11-67	Defendant present in person and represented. Defendant waives reading of indictment, arraigned and enters pleas of GUILTY to Cts.1,2&3. Court allows defendant to withdraw pleas of GUILTY and enter pleas of NOLO CONTENDERE as to Cts. 1,2,&3.
	Judgment & Sentence- John E. McElwain (Age 54)
	Ct. 1- Probation 3 months from this date.
	Ct. 2- Probation 3 months from this date.
	Ct. 3- Probation 3 months from this date. over

DATE	PROCEEDINGS
7-11-67 7-11-67	FURTHER ADJUDGED that the period of probation in Cts. 2&3 shall run concurrently with period of Probation in Ct. 1(AEB-J)h Order of Prob. filed & entered. (AEB-J)h Two c.c. of Order delivered to Prob. Office.h



[illegible]

DATED June 28,, 1967

*M. M. Ewing*  
United States Commissioner

UNITED STATES COMMISSIONER  
Northern DISTRICT OF Oklahoma

RECORD OF PROCEEDINGS IN CRIMINAL CASES

BEFORE BENJAMIN B. BALLENGER FEDERAL BUILDING, TULSA, OKLAHOMA.  
(Name of commissioner)

COMMISSIONER'S  
DOCKET No. 1 CASE No. 227  
THE UNITED STATES  
vs.  
JOHN E. McELWAIN

Sec: 5179(a), 5601(a)(7) & 5205(a)(2)  
Complaint filed on March 20, 1967 by Wm. J. Gibson  
Official title A & T Investigator charging violation of  
United States Code, Title 26, Section above, on 2-17-  
1967, at Ottawa Co., Okla in the  
division of the Northern district of Oklahoma.  
as follows: Possess an unregistered still set up  
for operation, Making mash fit for distillation  
on unauthorized premises, Possessing distilled  
spirits the immediate container thereof not having  
stamp affixed thereto.

(Here insert brief summary of facts constituting offense charged)

WARRANTS OR SUMMONS ISSUED:

Date March 20, 1967 Warrant/Summons for John E. McElwain  
to (name and title of officer) To Any U. S. Marshal or Any Authorized U.S. Officer (Name of defendant)  
Substance of return

Date Warrant/Summons for  
to (name and title of officer)  
Substance of return

FILED

MAY - 4 1967

PROCEEDINGS ON FIRST PRESENTATION OF ACCUSED TO COMMISSIONER:

Date Arrested by  
without warrant.

Appearances { for United States (Name) (Address)  
for accused (Name) (Address)

Proceedings taken  
(Here insert with dates, when appropriate, a serial account of essential steps taken at hearing such as "complaint prepared,"

If arrest is without warrant: "defendant informed of complaint and right to retain counsel and preliminary hearing": "preliminary examination waived,"

If that is the fact; any adjournments taken, etc.

Note: On April 25, 1967 above defendant Indicted by Grand Jury -

Bench Warrant issued.

S/ Benjamin B. Ballenger  
U. S. Commissioner.

Outcome

Bail fixed, 19 Amount, \$ Bonded, 19, by cash  
deposited by (name) Address  
transmitted to clerk of district court, 19 [or] by surety  
(name) Address  
(name) Address, who  
justified by affidavit dated, 19, [or] committed to  
on, 19

SUBPOENAS FOR WITNESSES ISSUED:

\_\_\_\_\_, 19\_\_\_\_, for (name of witness) \_\_\_\_\_  
at request of (name of party) \_\_\_\_\_  
Substance of return \_\_\_\_\_

\_\_\_\_\_, 19\_\_\_\_, for (name of witness) \_\_\_\_\_  
at request of (name of party) \_\_\_\_\_  
Substance of return \_\_\_\_\_

\_\_\_\_\_, 19\_\_\_\_, for (name of witness) \_\_\_\_\_  
at request of (name of party) \_\_\_\_\_  
Substance of return \_\_\_\_\_

PRELIMINARY EXAMINATION:

(Not to be used if case was disposed of at first presentation)

Date \_\_\_\_\_ Appearances for \_\_\_\_\_

United States

(Name)

(Address)

Accused

(Name)

(Address)

WITNESSES FOR UNITED STATES:

(List names and addresses)

WITNESSES FOR ACCUSED:

(List names and addresses)

Witness payroll containing \_\_\_\_\_ names certified to United States Marshal for payment \_\_\_\_\_, 19\_\_\_\_  
Proceedings taken \_\_\_\_\_

Outcome \_\_\_\_\_

Bail fixed \_\_\_\_\_, 19\_\_\_\_ Amount, \$ \_\_\_\_\_ Bonded \_\_\_\_\_, 19\_\_\_\_, by cash  
deposited by (name) \_\_\_\_\_ Address \_\_\_\_\_  
transmitted to clerk of district court \_\_\_\_\_, 19\_\_\_\_  
[or] by surety (names) \_\_\_\_\_ Address \_\_\_\_\_  
and \_\_\_\_\_ Address \_\_\_\_\_  
who justified by affidavit \_\_\_\_\_, 19\_\_\_\_ Committed to \_\_\_\_\_  
on \_\_\_\_\_, 19\_\_\_\_

Certified to be a correct transcript.

Made this \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_

Transmitted to Clerk of United States District Court for the  
district of \_\_\_\_\_

Northern

May 4th

1967

*Emmanuel B. Ballenger*

United States Commissioner.

UNITED STATES COMMISSIONER  
Northern DISTRICT OF Oklahoma.

RECORD OF PROCEEDINGS—MISCELLANEOUS

BEFORE Milam M. Ewing, Federal Building, Tulsa, Oklahoma.  
(Name of Commissioner) (Address)

This form should be used to record proceedings for which Forms AO 100 and AO 101 are not adapted, such as applications for search warrants, extradition proceedings, depositions in civil cases, proceedings for the release of poor convicts, references in civil or admiralty cases, attachments and subsequent hearings in internal revenue matters, proceedings to settle or certify nonpayment of seamen's wages, civil rights proceedings, detentions of witnesses on removal proceedings in connection with criminal proceedings, if not included in Form AO 100, etc. A separate page should be used for each proceeding, showing the title of the case, its nature, and the date and nature of each step taken.

Commissioner's

Docket No. 2, Case No. 784

UNITED STATES OF AMERICA

vs.

John Doe Farm Premises

Affidavit for Search Warrant

filed 3-17-67 by Wm. J. Gibson,

A & TT, Investigator for described  
premises. (Nature of proceeding)

**FILED**  
16,784  
 MAY - 4 1967

DATE	
	NOBLE C. HOOD Clerk, U. S. District Court
1967	Above Search Warrant executed by Wm. J. Gibson, A & TT,
3-17-	Investigator on March 17, 1967 at 1:30 P.M. Copy of
	Search Warrant left " On the kitchen table at the Farm
	Premises" together with a receipt for items seized:
	Inventory of items seized attached . Listed on back of
	Search Warrant.
	Inventory made in presence of Spec. Inv. Earl Burnett, and
	U. S. D. M. Carl Gardner and A.B.C. Agent Brooks.
	Charges filed: John E. McElwain

DATE

Certified to be a correct transcript of Docket Entries.

DATED March 21, 1967

*Benjamin B. Ballenger*  
United States Commissioner